

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JUNE 10, 1991  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:00 p.m. Mayor O'Connor adjourned the meeting at 6:38 p.m. into Closed Session on Tuesday, June 11, 1991 at 9:00 a.m. in the 12th floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (mp/cc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present

- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend James Scott of First Southern Baptist Church of Clairemont.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Behr.

FILE LOCATION: MINUTES

ITEM-30: DENIED HEARING

Matter of the request of Charles C. Love, Jr., et al, for a hearing of an appeal from the decision of the Planning Commission in granting a Coastal Development Permit and amending Conditional Use Permit CDP/CUP-90-0646 (old Conditional Use Permit C-14170), proposing construction of a new two-story, 1,224 square-foot building and a 4,983 square-foot second story addition to an existing building. This would allow for an expansion of the facilities and not for an expansion of students or staff. The subject property is located at 6510 La Jolla Scenic Drive South, in Zone R1-20000, in the La Jolla Community Plan area, and is more particularly described as a portion of the northeast quarter of Pueblo Lot 1258, Miscellaneous Map-36.

(CDP/CUP-90-0646 (old CUP-C-14170). District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM (CDP/CUP-90-0646)

COUNCIL ACTION: (Tape location: A077-090.)

MOTION BY WOLFSHEIMER TO DENY THE REQUEST FOR A HEARING.  
Second by Behr. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Behr-yea, Henderson-not present, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

\* ITEM-50: (O-91-171) ADOPTED AS ORDINANCE O-17653 (New Series)

Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code, by adding Section 101.0435.3, relating to the M-SI (Manufacturing - Small Industry) Zone.

(Introduced on 5/28/91. Council voted 6-0. Districts 1, 4 and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A108-115.)

CONSENT MOTION BY FILNER TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Behr-yea, Henderson-not present, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

\* ITEM-51: (O-91-172) ADOPTED AS ORDINANCE O-17654 (New Series)

Incorporating various properties within the Midway/Pacific Highway Corridor Community Planning Area into the R-1000, R-1500, R-3000, CR, CO, CN, CA, C-1, M-IP, and M-SI Zones; application of the Institutional Overlay Zone and Community Plan Implementation Overlay Zone; and rescission of the Midway Planned District Ordinance.

(Midway/Pacific Highway Corridor Community Area. District-2. Introduced on 5/28/91. Council voted 6-0. Districts 1, 4 and 8 not present.)

FILE LOCATION: LAND-Midway/Pacific Highway Corridor Community Plan.

COUNCIL ACTION: (Tape location: A108-115)

CONSENT MOTION BY FILNER TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100: (R-91-1574) ADOPTED AS RESOLUTION R-278063

Awarding a contract to Corporate Air for Balboa Branch Library Air-Conditioning for an estimated cost of \$47,800; authorizing the City Auditor and Comptroller to transfer \$16,000 from CIP-90-245.0, Capital Outlay Unallocated Reserve-Capital Outlay Other Reserve Fund 302453, to CIP-35-062.0, Balboa Branch Library Expansion; authorizing the additional expenditure of \$16,000 for construction and related costs to supplement funds previously authorized by R-277328, adopted on 2/11/91, for Balboa Branch Library Air-Conditioning.

(BID-K2048/91) (District-5.)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the design and installation of a new air-conditioning system at the Balboa Branch Library located at 4255 Mt. Abernathy Avenue. The project was advertised and 25 bid packages were distributed. Three competitive bids were received. The apparent low bid was \$11,000 over the project estimate. The bids were higher than estimated due to existing heat ducts that are inadequate for the new cooling system. Removal and replacement of the ductwork will be labor intensive and time consuming. Additional funds for this work have been identified and are available. Therefore, we recommend proceeding with awarding the contract to the apparent lowest responsible bidder, Corporate Air. This will allow for the installation of a cooling system prior to this summer.

Aud. Cert. 9100891.

FILE LOCATION: CONT- Purchase Corporate Air CONFY91-1

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-91-1576) ADOPTED AS RESOLUTION R-278064

Awarding a contract to Western Landscape Construction for Torrey Pines Golf Course Improvement; authorizing the City Auditor and Comptroller to transfer \$847,900 from CIP-29-704.0, Torrey Pines Golf Course Irrigation System and Cart Paths Additional Requirements, Torrey Pines Golf Course Fund No. 10530, to CIP-29-648.0, Torrey Pines Golf Course - Irrigation System and Cart Paths; authorizing the increase of CIP-29-648.0, Torrey Pines Golf Irrigation System and Cart Paths by \$414,715 from Torrey Pines Golf Course Fund No. 10530; authorizing the expenditure of \$2,070,694.76 from CIP-29-648.0, Torrey Pines Golf Course - Irrigation System and Cart Paths, Torrey Pines Golf Course Fund No. 10530, for said project and related costs;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the City Manager to execute a contract with Western Landscaping Construction in the amount of \$1,730,662 (Base Bid and Additive Alternates 1, 2, 3 and 4). (BID-K1960/91)

(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide improvements to the Torrey Pines Golf Course (south 18 hole course) which is located at 11480 North Torrey Pines Road. The improvements will include a state-of-the-art computerized irrigation system, concrete golf cart paths, and greens reconstruction. The existing irrigation system is in poor repair and needs replacement. The computerized irrigation system will save water and is designed to be converted to reclaimed water when reclaimed water becomes available. In order to accelerate this project schedule, advertising for bids was completed prior to having all the funds necessary. Of 215 bid packages issued, 8 bid packages were received and opened on March 13, 1991. The low bid of \$1,730,662 from Western Landscape Construction is 23 percent under the engineer's estimate of \$2,284,500.

Aud. Cert. 9100894.

FILE LOCATION: CONT-Western Landscape Construction

CONTFY91-1

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-91-1349) ADOPTED AS RESOLUTION R-278065

Awarding a contract to Atlas Environmental Services Inc. for furnishing complete tree removal and back filling services for broadleaf trees and palms, as may be required for a period of one year beginning July 1, 1991 through June 30, 1992, for an estimated cost of \$118,948.50, including terms, with options to renew the contract for four additional one year periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 18 percent; in the event that the contractor does not perform to specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsive and responsible bidder and to subsequent bidders, if necessary, until a bidder is found who performs to specifications. (BID-C2251/91)

FILE LOCATION: CONT-Purchase Atlas Environmental Services Inc. CONT Fy91-1

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-91-1318) ADOPTED AS RESOLUTION R-278066

Authorizing the City Manager to extend the contract with Diatec Polymers for a 10-month period, for the purchase of polymer for sludge dewatering from March 1, 1991 through December 31, 1991, as originally authorized by Resolution R-270340, adopted on February 16, 1988, for an estimated cost of \$875,688, including tax. (BID-9372)

FILE LOCATION:           CONT-Purchase Diatec Polymers    CONTFY91-1

COUNCIL ACTION:        (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT.   Second by Wolfsheimer.  
Passed by the following vote:   Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104:       (R-91-1575)   ADOPTED AS RESOLUTION R-278067

Inviting bids for the Construction of Mission Bay Docks  
on Work Order No. 119155; authorizing the execution of  
a contract with the lowest responsible bidder;  
authorizing the expenditure of \$61,450 from  
CIP-22-072.0, Mission Bay Docks and Boat Ramp, Mission  
Bay Park Revenue Fund No. 10504, and \$28,480 from the  
California Department of Boating and Waterways Grant  
Funds, contingent upon receipt of funds; authorizing  
the City Auditor and Comptroller, upon advice from the  
administering department, to transfer excess budgeted  
funds, if any, to the appropriate reserves.

(BID-K2408/91)

(Prime construction contract \$60,000.   Mission Bay Park  
Community Area.   District-2.)

CITY MANAGER SUPPORTING INFORMATION:   The proposed project will  
refurbish the deteriorated docks at the Ski Beach and Dana Basin  
boat dock facilities in Mission Bay Park.   These facilities  
consist of a fixed wooden pier, a wooden gangway and a pile  
retained boarding float.   The work at the Ski Beach facility  
consists of replacing the boarding float and replacing the top  
railing of the pier and gangway.   The work at the Dana Basin boat  
dock consists of replacing the boarding float.   The new boarding  
floats will be the same size and configuration as the existing  
floats.   The City has a California Department of Boating and  
Waterways Grant in the amount of \$441,000 for the reconstruction  
of two boat docks and the boat launching ramp at De Anza Cove.  
The boat dock reconstruction work has been separated from the  
boat launching ramp project because the ramp requires a Corps of  
Engineers Permit and the dock work does not.   The two projects  
also require different kinds of subcontractors and separation  
should provide more competitive bidding.

Aud. Cert. 9100851.

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for the Regular Meeting of Monday, June 10, 1991**

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FILE LOCATION: W.O. 119155 CONT - SUPERIOR CRANE & RIGGING,  
INC. CONT FY91-1

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105: (R-91-2044) ADOPTED AS RESOLUTION R-278068

Authorizing the City Manager to release a portion of  
the surety issued by St. Paul Fire and Marine Insurance  
Company in the form of Performance Bond No. 400 HG  
4501, for the Subdivision Improvement Agreement for  
Mesa Summit Unit No. 10, so that the same is reduced as  
follows: 1) For faithful performance, to the sum of  
\$24,948; 2) For the benefit of the contractor,  
subcontractor and to persons renting equipment or  
furnishing labor or materials, to the sum of \$12,474.

(Mira Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On October 10, 1988 the  
City entered into an agreement with Pardee Construction Company  
for the construction of public improvements for Mesa Summit Unit  
No. 10. Performance Bond No. 400 HG 4501 issued by St. Paul Fire  
and Marine Insurance Company in the amount of \$71,794 was  
provided by the subdivider. The agreement expired October 10,  
1990. On July 9, 1990, by Council Resolution R-276081, an  
extension of time was granted until October 10, 1991, within  
which to complete the improvements. Eighty-seven percent of the  
work has been completed to the satisfaction of the City Engineer,  
and the subdivider has requested a partial release of surety.  
The job order account has sufficient funds to cover anticipated  
future costs to the City. There are no mechanic's liens filed  
against the surety and there has not been a previous partial  
release. In accordance with Council Policy 800-11, it is  
recommended that the surety be reduced by an amount which is 75  
percent of the value of the work completed. Therefore, 65.25  
percent of the original surety will be released which will reduce  
the surety to \$24,948.

FILE LOCATION: SUBD-Mesa Summit Unit No.10

COUNCIL ACTION: (Tape location: A115-129.)



CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106:

Two actions relative to Partial Release of Surety and  
Time Extension for Sun Ridge Vista Unit No. 1:

(Mira Mesa Community Area. District-6.)

Subitem-A: (R-91-2041) ADOPTED AS RESOLUTION R-278069

Authorizing the City Manager to release a portion of  
the surety issued by St. Paul Fire and Marine Insurance  
Company in the form of Performance Bond No. 400 HK  
1444, so that the same is reduced as follows: 1) For  
faithful performance, to the sum of \$431,825; 2) For  
the benefit of the contractor, subcontractor and to  
persons renting equipment or furnishing labor or  
materials, to the sum of \$215,912.50.

Subitem-B: (R-91-2042) ADOPTED AS RESOLUTION R-278070

Granting an extension of time to January 1, 1992 to  
Pardee Construction Company, subdivider, to complete  
the improvements required in Sun Ridge Vista Unit No.  
1.

CITY MANAGER SUPPORTING INFORMATION: On September 28, 1987,  
the City entered into an agreement with Pardee Construction  
Company for the construction of public improvements for Sun Ridge  
Vista Unit No. 1. Performance Bond No. 400 HK 1444 issued by St.  
Paul Fire and Marine Insurance Company in the amount of  
\$1,674,891 was provided by the subdivider. The agreement expired  
September 28, 1989. On November 13, 1990, by City Council  
Resolution R-276852, an extension of time was granted until  
August 1, 1991 within which to complete the work. The subdivider  
has requested a partial release of surety and a second extension  
of time to January 1, 1992 in which to complete the required  
improvements. Ninety-nine percent of the work has been completed  
to the satisfaction of the City Engineer, and the subdivider has  
requested a partial release of surety. The job order account has  
sufficient funds to cover anticipated future costs to the City.  
There are no mechanic's liens filed against the surety and there  
has not been a previous partial release. It is recommended that

the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 74.25 percent of the original surety will be released which will reduce the surety to \$431,825.

FILE LOCATION: Subitem-A & B: SUBD-Sun Ridge Vista Unit  
No. 1.

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-91-2043) ADOPTED AS RESOLUTION R-278071

Authorizing the City Manager to release a portion of the surety issued by Aetna Casualty & Surety Company, in connection with Engineering Permit No. W-37586 for the construction of public improvements for Parcel Map PM-15907 (Sorrento Towers), in the form of Performance Bond No. 3SB100597360BCA, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$134,212.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$67,106.

(Located southwesterly of Mira Mesa Blvd. and Scranton Road. Mira Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On November 3, 1989, the City issued Engineering Permit No. W-37586 for the construction of public improvements for Parcel Map PM-15907 (Sorrento Towers). Performance Bond No. 3SB100597360BCA issued by Aetna Casualty & Surety Company in the amount of \$322,347 was provided by the subdivider. The permit expired November 3, 1990. On February 22, 1991, a time extension was granted to October 1, 1992. Approximately 78 percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there

has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 58 percent of the original surety will be released which will reduce the surety to \$134,212.

FILE LOCATION: SUBD-Sorrento Towers

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-108:

Two actions relative to Business Improvement Districts: (Mid-City, Hillcrest, Mission Hills, Centre City, Ocean Beach and La Jolla Community Areas. Districts-1, 2, 3 and 8.)

Subitem-A: (R-91-2050) ADOPTED AS RESOLUTION R-278072

Accepting the Budget Report for each Business Improvement District for July 1, 1991 through June 30, 1992 (FY 1992).

Subitem-B: (R-91-2052) ADOPTED AS RESOLUTION R-278073

Resolution of Intention to levy an annual assessment within previously established Business Improvement Districts for July 1, 1991 through June 30, 1992.

CITY MANAGER SUPPORTING INFORMATION: Business Improvement Districts (BIDs) are authorized by State law to assess benefitted businesses for the cost of certain improvement activities. These activities are generally promotional in nature. Once a BID is established, the City collects the assessments and disburses them to an appropriate entity representing the district pursuant to an annual operating agreement. There are currently 11 active districts in the City of San Diego: Adams Avenue, City Heights, Downtown, El Cajon Boulevard Gateway, El Cajon Boulevard Central, Gaslamp, Hillcrest, La Jolla, Mission Hills, North Park and Ocean Beach. State law requires that the City Council annually adopt a budget for each BID and hold a public hearing to levy appropriate assessments. The actions being taken today accept the budget reports and set Monday, June 24, 1991 for the public hearing to

levy the proposed assessment for each BID for FY 1992. Pursuant to Section 36530 of the State law regulating Business Improvement Districts (BID's), the Gaslamp Quarter Merchants Association recommends that the assessments in the Gaslamp District for the next fiscal year be increased by 100 percent. These funds will be used to seed a security/goodwill ambassador program. A separate Council action is being prepared to be noticed to all Gaslamp merchants to amend the Gaslamp District Ordinance to reflect the proposed change.

FILE LOCATION: STRT-L-5, L-8, L-1, L-6, L-9, L-3, L-4, L-2,  
L-12, L-7, L-11.

COUNCIL ACTION: (Tape location: A134-588.)

MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-91-2057 CORR.COPY) ADOPTED AS RESOLUTION  
R-278074

Resolution of Intention to amend Ordinance O-15647 which established the Gaslamp Business Improvement District (BID) to provide for increased assessments within the district.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Pursuant to Section 36530 of the State law regulating Business Improvement Districts (BID's), the Gaslamp Quarter Merchant's Association has recommended to the City Council that assessments in the District be increased by 100 percent for FY 1992. After holding a publicly noticed hearing to all assessed parties, the Board of Directors voted on April 2, 1991 to recommend a doubling of the base fee from \$50 to \$100 for category "B" and \$70 to \$140 for category "C". Annual income to the BID should increase by approximately \$32,000 to \$64,000, depending upon actual date of implementation. Proceeds from this increase will support higher administrative costs and fund a security/goodwill ambassador program.

FILE LOCATION: STRT-L-3

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110:

Two actions relative to the Calle Cristobal Landscape  
and Lighting Maintenance District:

(Mira Mesa Community Area. District-6.)

Subitem-A: (R-91-2012) ADOPTED AS RESOLUTION R-278075

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-91-2013) ADOPTED AS RESOLUTION R-278076

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The Calle Cristobal  
Landscape and Lighting Maintenance District was established in  
1987 to provide maintenance for landscape medians, streetscapes  
and the street side of the sound attenuator wall along Calle  
Cristobal within the district boundaries. Assessments were  
levied and collected for Fiscal Year 1989. However, due to  
delays in the developer's implementation schedule and changes in  
landscaping concept and plans, no maintenance was provided in  
Fiscal Year 1989 through 1991, and none is scheduled for Fiscal  
Year 1992. The developer will continue to provide maintenance  
for the existing landscaping improvements until they are accepted  
and taken over by the district. It is anticipated that the  
district will start maintaining the existing landscaping  
improvements in Fiscal Year 1993. The current district account  
balance of \$74,448 and an estimated interest amount of \$5,000, a  
total amount of \$79,448, will be carried over to the following  
Fiscal Year's budget. The amount assessed to the district for  
Fiscal Year 1992 = \$0.

FILE LOCATION: STRT-M-243

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111:

Two actions relative to the Coronado View Landscape and  
Lighting Maintenance District:

(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-91-2025) ADOPTED AS RESOLUTION R-278077

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-91-2026) ADOPTED AS RESOLUTION R-278078

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing  
establishes the annual assessments for the Coronado View  
Landscape and Lighting Maintenance District. The district  
provides maintenance for landscaping within street right-of-ways,  
and energy and maintenance for ornamental street lights. The  
Fiscal Year 1992 proposed maintenance costs for the district are  
as follows:

Contractual Maintenance	\$ 5,650
Personnel	4,489
Utilities	1,740
Incidentals	4,098*
Total Expenses	\$15,977
Reserve	1,000
Total	\$16,977
Less Carry-over & Interest	3,400
Less City Contribution	0
Assessed to District	\$13,577

\*Includes Assessment District Management Fee of \$904.

The proposed unit annual assessment for Fiscal Year 1992 is  
\$117 per living unit as compared to \$110 per living unit for  
Fiscal Year 1991. The increase is due to a smaller  
carry-over from Fiscal Year 1991 and the normal increase in  
personnel and incidental expenses.

FILE LOCATION: STRT-M-244

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112:

Two actions relative to the Eastgate Technology Park  
Landscape Maintenance District:

(University Community Area. District-1.)

Subitem-A: (R-91-2028) ADOPTED AS RESOLUTION R-278079

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-91-2029) ADOPTED AS RESOLUTION R-278080

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing  
establishes the annual assessments for the Eastgate Technology  
Park Landscape Maintenance District. The district maintains  
landscaped center islands, streetscapes and open space areas  
within the district. The Fiscal Year 1992 proposed maintenance  
costs for the district are as follows:

Contractual Maintenance	\$ 77,500
Personnel	11,204
Utilities	20,350
Incidentals	16,693*
Total Expenses	\$125,747
Reserve	40,899
Total	\$166,646
Less Carry-over & Interest	45,000
Less City Contribution	3,438
Assessed to District	\$118,208

\*Includes Assessment District Management Fee of \$7,119.

Assessments for Fiscal Year 1992 correspond to approximately  
\$545 per acre of each lot. The assessments for Fiscal Year  
1991 were the same.

FILE LOCATION: STRT-M-245

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-113:

Two actions relative to the Mission Boulevard Landscape  
Maintenance District:

(Mission Beach Community Area. District-2.)

Subitem-A: (R-91-2022) ADOPTED AS RESOLUTION R-278081

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-91-2023) ADOPTED AS RESOLUTION R-278082

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing  
establishes the annual assessments for the Mission Boulevard  
Landscape Maintenance District. The district provides for the  
maintenance of approximately 200 trees within the district. The  
Fiscal Year 1992 proposed maintenance costs for the district are  
as follows:

Contractual Maintenance	\$17,765
Personnel	20,428
Incidentals	11,123
Total Expenses	\$49,316
Reserve	16,249
Total	\$65,565
Less Carry-over & Interest	21,531
Less City Contribution	0
Assessed to District	\$44,034

The annual assessment for Fiscal Year 1992 will be \$11.73  
per living unit (L.U.), compared to \$11.94 per L.U. for  
Fiscal Year 1991.

FILE LOCATION: STRT-M-246

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,



Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-114:

Two actions relative to the Scripps-Miramar Ranch  
Landscape and Lighting Maintenance District:

(Scripps-Miramar Ranch Community Area. District-6.)

Subitem-A: (R-91-2001) ADOPTED AS RESOLUTION R-278083

Resolution of Intention to levy and collect  
assessments.

Subitem-B: (R-91-2002) ADOPTED AS RESOLUTION R-278084

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing  
establishes the annual assessments for the Scripps-Miramar Ranch  
Landscape and Lighting Maintenance District. The district  
provides landscape maintenance for open space and medians, and  
maintenance for street light standards. The Fiscal Year 1992  
proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$145,000
Personnel	44,894
Utilities	37,000
Incidentals	38,337*
Total Expenses	\$265,231
Reserve	100,215
Total	\$365,446
Less Carry-over & Interest	165,000
Less City Contribution	12,470
Assessed to District	\$187,976

\*Includes Assessment District Management Fee of \$15,239.

The proposed unit assessment for Fiscal Year 1992 is  
approximately \$32.84. Unit assessment for Fiscal Year 1991  
was \$31.28. The increase in the assessment is due to a tree  
maintenance project requested by the community.

FILE LOCATION: STRT-M-247

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-115: (R-91-1997) ADOPTED AS RESOLUTION R-278085

Authorizing the execution of a deed conveying to  
Pacific Bell, an easement for a 7' x 15' electronic  
equipment cabinet in the frontage area of open space  
Lot 8, Lusk Mira Mesa Residential No. 2.

(Mira Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Pacific Bell is in the  
final design stage of a fiber optic telephone cable system which  
requires the placement of electronic equipment cabinets at  
various strategic points within the business community. The  
service will make new hi-tech communications available to this  
area for the first time. The 7' x 15' (105 sq. ft.) is in an  
open space lot. Pacific Bell is paying \$2,500, which the staff  
considers to be a fair value for the easement. Park and  
Recreation, Open Space Division, has approved this easement.

FILE LOCATION: DEED F-5615 Deed FY91-1

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-116: (R-91-1996) ADOPTED AS RESOLUTION R-278086

Designating a Redevelopment Survey Area for San Ysidro  
and authorizing a study of the feasibility of a  
redevelopment project or projects within the survey  
area.

(See City Manager Report CMR-91-250. San Ysidro  
Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-117: (R-91-2055) CONTINUED TO JUNE 24, 1991

Authorizing the City Manager to negotiate an agreement with Bank of America and Pryor, McClendon, Counts and Company, Inc. to purchase and market City of San Diego Short Term Tax and Revenue Anticipation Notes in an amount not to exceed \$80,000,000; retaining the law office of Stradling, Yocca, Carlson and Rauth to perform legal duties and act as Bond Counsel in connection with Tax and Revenue Anticipation Notes issued for Fiscal Year 1991-92;

Authorizing the expenditure of a sum not to exceed \$20,000 from Fund 65013 to provide funds for the bond counsel services.

CITY MANAGER SUPPORTING INFORMATION: Each year the City of San Diego issues short-term notes to fund temporary cash deficits experienced during the year in the City's General Fund. Last year the City issued \$49,000,000 worth of notes. In 1989-90, \$28,000,000 worth of notes were issued. At this time, it is estimated that we will be able to issue approximately \$50,000,000 worth of notes on July 1, and possibly \$10,000,000 more in a Series B issue in early November. The determination of the actual issue size and whether a Series B is necessary will be made just prior to the July and November issue dates based upon current estimates of cash requirements. The City Treasurer received seven proposals to serve as underwriter in response to a Request for Proposal issued in April. Bank of America and Pryor, McClendon, Counts and Co., Inc. were selected as underwriter based upon pricing of services and the experience of the firm in the Tax Anticipation Note market.

Aud. Cert. 9200006.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A590-B179.)

MOTION BY PRATT TO CONTINUE TO JUNE 24, 1991 PENDING RECEIPT OF REPORT FROM CITY ATTORNEY REGARDING RETENTION PROCESS FOR BOND COUNSEL. Second by Behr. Passed by the following

vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Behr-yea, Henderson-not present, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

\* ITEM-118: (R-91-1992) ADOPTED AS RESOLUTION R-278087

Approving the Records Disposition Schedule for the  
Legislative Services Department.

(See City Clerk's Report CC-90-05.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-119: (R-91-1986) ADOPTED AS RESOLUTION R-278088

Approving the Centre City Restroom Plan as presented in  
City Manager Report CMR-91-223; authorizing the City  
Manager to take all necessary steps in implementing the  
plan.

(District-8. See City Manager Report CMR-91-223.)

COMMITTEE ACTIONS: Reviewed by PFR on 5/22/91. Recommendation  
to accept the City Manager's recommendation. Districts 3, 7 and  
8 voted yea. Districts 1 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (R-91-1865) CONTINUED TO JUNE 24, 1991

## Page 21

Establishing the San Diego Abandoned Vehicle Abatement Service Authority in San Diego County, pursuant to Section 22710 of the California Vehicle Code; imposing a \$1.00 vehicle registration fee in San Diego County, pursuant to California Vehicle Code Section 22710; declaring that the Board of Directors of the San Diego Service Authority for Freeway Emergencies shall constitute the members of the Board of Directors of the San Diego Abandoned Vehicle Abatement Service Authority.

COUNCIL ACTION: (Tape location: A091-109.)

ITEM-201:

(Districts-2 and 3.)

Authorizing the sale of Certificates of Participation in an amount not to exceed \$12,500,000; approving a Trust Agreement, Facilities Lease, Site and Facilities Lease, Assignment Agreement, form of the official bid form, notice inviting bids, and Preliminary Official Statement.

# Introduction of an Ordinance authorizing a Facilities

Lease and a Site and Facilities Lease with the San Diego Facilities and Equipment Leasing Corporation; authorizing a Trust Agreement and approving the form of Assignment Agreement with Bank of America National Trust & Savings Association relating to the issuance of Certificates of Participation in an amount not to exceed \$12,500,000 for a term not exceeding 30 years.

FILE LOCATION: Subitem A: MEET; Subitem B: --

COUNCIL ACTION: (Tape location: D023-190.)

Hearing began at 4:13 p.m. and halted at 4:26 p.m.

Testimony in favor by Bill Evans and Larry Marshall.

MOTION BY ROBERTS TO AUTHORIZE THE SALE OF CERTIFICATES OF PARTICIPATION IN AN AMOUNT NOT TO EXCEED \$12,500,000; TO APPROVE A TRUST AGREEMENT, FACILITIES LEASE, SITE AND FACILITIES LEASE, ASSIGNMENT AGREEMENT, FORM OF THE OFFICIAL BID FORM, NOTICE INVITING BIDS, AND PRELIMINARY OFFICIAL STATEMENT AND TO INTRODUCE AN ORDINANCE AUTHORIZING A FACILITIES LEASE AND A SITE AND FACILITIES LEASE WITH THE SAN DIEGO FACILITIES EQUIPMENT LEASING CORPORATION. AMENDMENT BY McCARTY TO ADD THE FOLLOWING: SHOULD MONIES BE AVAILABLE FROM SOME UNKNOWN SOURCE, THEN WE COULD MAKE AN ADJUSTMENT AND DIVERT IT TO MISSION BAY PARK. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-202: (R-91-1694) ADOPTED AS RESOLUTION R-278089

Matter of consideration of the Transportation Demand Management (TDM) Plan for the La Jolla Cancer Research Foundation. This TDM Plan reduces the number of vehicle trips made to and from the expanded La Jolla Cancer Research project through the use of a variety of TDM techniques. Procedures for annual monitoring are described, and enforcement measures are specified in case the traffic thresholds are exceeded. The proposed TDM Plan also constitutes an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed Local Coastal Amendment must be submitted to the California Coastal Commission for review and final approval. The proposed Local Coastal Program amendment would not become effective until

after approval by the California Coastal Commission.

(District-1.)

Resolution approving the Transportation Demand  
Management Plan for the La Jolla Cancer Research  
Foundation.

PLANNING DEPARTMENT SUPPORTING INFORMATION: The University Community Plan, which was adopted by the City Council on July 7, 1987, requires certain properties within the University Community Planning area to mitigate their peak hour trip generation rate to a level equal to or less than that generated by a project of 18,000 square feet per acre. One of the properties affected by this requirement includes the La Jolla Cancer Research Foundation. The University Community Plan states that this traffic mitigation shall be achieved through a Transportation Systems Management (TSM) Program. The Community Plan also states that the TSM Programs shall be approved by the City Council, and the California Coastal Commission through the Local Coastal Program Amendment process. On August 30, 1990, the Planning Commission approved an expansion of the La Jolla Cancer Research Foundation from 63,700 to 111,941 square feet on 4.87 acres (a land use intensity of 23,000 square feet per acre), subject to mitigating peak hourly vehicle trips to a level equivalent to 18,000 square feet per acre. The La Jolla Cancer Research Foundation currently proposes to develop an additional 34,500 square feet, for a total of 98,200 feet (a land use intensity of 20,164 square feet per acre). This TDM Plan reduces the number of vehicle trips made to and from the expanded La Jolla Cancer Research project through the use of a variety of TDM techniques including car-pools, bicycle commuting, public transportation, walking or working at home, linked to the office via computer terminals or other communications devices (telecommuting), etc. Procedures for annual monitoring are described, and enforcement measures are specified in case the traffic thresholds are exceeded.

FILE LOCATION: LAND-University Community Plan

COUNCIL ACTION: (Tape location: D192-198.)

Hearing began at 4:27 p.m. and halted at 4:29 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (O-91-180) HEARING HELD, SECOND HEARING ON  
JUNE 11, 1991

First public hearing in the matter of:

Amending the Annual Appropriation Ordinance by authorizing the Auditor and Comptroller to appropriate additional revenues and increase the General Fund/Property Department Appropriation; appropriating and transferring Transient Occupancy Tax Unappropriated Reserve Fund revenues to the Housing Trust Fund as required.

NOTE: See the supplemental docket of Tuesday, June 11, 1991 for the second public hearing of the Ordinance, and related companion item.

FILE LOCATION: ---

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO APPROVE THE FIRST HEARING. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-91-2130) ADOPTED AS RESOLUTION R-278090

Commending Sean E. McNeal for his exemplary achievement and selfless devotion to duty and for working in a spirit of determined and courageous contributions in the resolution of the Desert Storm, Persian Gulf conflict.

(District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A006-021.)

MOTION BY PRATT TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.



ITEM-S401: (R-91-2131) ADOPTED AS RESOLUTION R-278091

Commending San Diego Police Officers Gaye Wagner and Andy Mills for their professionalism and ability to facilitate change through problem solving and for having a caring commitment to the community.

(District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A021-065.)

MOTION BY PRATT TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-91-2327) ADOPTED AS RESOLUTION R-278092

Approving the actions of the City Manager in declaring the urgent matter condition at Mission Bay Park parking lots as a public nuisance; supporting and approving the actions of the City Manager taken to abate the public nuisance condition at Mission Bay Park parking lots and directing him to complete all necessary implementing measures.

(See memorandum from the City Manager dated 6/4/91. Mission Bay Park Community Area. District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B179-C312.)

MOTION BY ROBERTS TO ADOPT APPROVING THE ACTIONS OF THE CITY MANAGER IN DECLARING THE URGENT MATTER CONDITION AT MISSION BAY PARK PARKING LOTS AS A PUBLIC NUISANCE WITH THE REQUEST THAT THE CITY MANAGER REVIEW THE CONCERNS OF THE CROWN POINT ASSOCIATION WITH REGARD TO THEIR QUESTIONNAIRES AND REPORT BACK TO COUNCIL WITH RECOMMENDATIONS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S403: (R-91-2137) ADOPTED AS RESOLUTION R-278093

A Resolution approved by the City Council in Closed Session on Tuesday, May 28, 1991 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-yea; Behr-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$42,500 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Dorothy Del Ross (Superior Court Case No. 626874, Dorothy Del Ross v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$42,500, made payable to Dorothy Del Ross and her attorney of record, Ann Richardson, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Dorothy B. Del Ross, resulting from the incident of July 3, 1989.

Aud. Cert. 9100921.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S404: (R-91-2132) ADOPTED AS RESOLUTION R-278094

Authorizing the City Manager to enter into a letter of agreement with the San Diego Unified School District for the transportation of students to Palomar County School Safety Patrol Summer Camp; declaring that the City of San Diego will assume total responsibility for the conduct of students while riding the bus; authorizing the expenditure of \$65,000 from Fund 10001, Department 901, Job Order No. 175702, and an amount not

to exceed \$28,000 from Fund 100, Department 110,  
Organization 386, Object Account 4455 for the purpose  
of providing funds for the School Safety Patrol Camp.

CITY MANAGER SUPPORTING INFORMATION: For at least 30 years, the City of San Diego has conducted through the Police Department, a School Safety Patrol Summer Camp. Attendees are fifth and sixth grade students who have volunteered for, and successfully served as school patrol crossing guards. This camp recognizes the contributions made by these students and provides an educational and recreational experience for them. This summer, approximately 825 students and 75 student counselors are expected to participate. The action before Council today provides for entering into an agreement with the San Diego Unified School District for the transporting of the students to from camp. This agreement differs from past agreements only in the effective dates. The school district provides the buses, the drivers and insurance. The City of San Diego is responsible for the conduct of the students while on the busses, and agrees to share equally in liability in excess of the school district's insurance policy.

Aud. Cert. 9100927.

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-91-1984) ADOPTED AS RESOLUTION R-278095

(Continued from the meeting of June 3, 1991, Item 119, at Councilmember Roberts' request, to allow him to be present to ask questions of staff and the contractor.)

Approving Change Order No. 3, dated March 13, 1991, issued in connection with the contract with Engicon Corporation for Sewer Pump Station No. 15, amounting to a net increase in the contract price of \$44,796.30; authorizing the City Auditor and Comptroller to transfer the amount of \$44,796.30 from CIP-43-004.0, Annual Allocation for Freeway Relocation, to CIP-46-106.2, Annual Allocation for Sewer Pump Station Restoration; authorizing the expenditure of an amount

not to exceed \$44,796.30 from CIP-46-106.2 to fund this change order.

(Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Engicon Corporation is in the final phase of completing the construction of Sewer Pump Station No. 15. This project is located near Crown Point Drive at the end of La Playa Street in the community of Pacific Beach. During the project construction, it was discovered that the existing electric and gas services to the station are not adequate to provide the required power. Change Order No. 3 will compensate the contractor and SDG&E for the cost associated with revising the pump station's electrical service layout, and for constructing adequate electric and gas services to the new pump station. This is the final change order for the pump station project.

Aud. Cert. 9100869.

WU-U-91-178.

FILE LOCATION: CONT-Engicon Corporation CONT FY91-1

COUNCIL ACTION: (Tape location: C550-586.)

MOTION BY ROBERTS TO ADOPT WITH THE REQUEST THAT THE CITY MANAGER PROVIDE SOME ADDITIONAL LANDSCAPING AROUND THIS PROJECT, IF POSSIBLE, TO MAKE IT A LITTLE ATTRACTIVE.  
Second by Hartley. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406:

(Continued from the meetings of April 16, 1991, Item 331, April 23, 1991, Item S503, May 20, 1991, Item 204, and June 3, 1991, Item 204; last continued at the City Manager's request, to work with the developer to reach an agreement.)

1. Request for a North City West Development Plan Permit and Tentative Map (Carmel Valley Neighborhood I, Units 3 and 4 Resubdivision) for the development of 68 two-story, single-family homes on approximately 11.3 acres of a 25.8-acre site. The map will create 68 residential lots and

three non-residential lots on approximately 25.8 acres. The non-residential lots are for a future school, park and open space. The subject property, a 25.8-acre site, is located on the north side of Carmel Center Road, east of Carmel Creek Road, west of the SDG&E easement, and south of Kerwood Court and is more particularly described as a resubdivision of Final Map 12564 and Parcels 1 and 2 of Parcel Map PM-16001, Carmel Valley Neighborhood 1, Unit 3. The EP (Educational and Park) and SF3 (Single-Family Residential, minimum lot size of 3,000 square feet) zoned site is in the Carmel Valley (formerly North City West) Community Plan area.

2. A proposal to vacate a portion of Camarena Road, McKittrick Way, Montella Way, Goldonna Lane and Ridgetop Court as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed tentative map for Carmel Valley Neighborhood I, Units 3 and 4 Resubdivision (TM-90-0471).

(NCWDPP & TM-90-0471. District-1.)

Subitem-A: (R-91-1524) ADOPTED AS RESOLUTION R-278096

Adoption of a Resolution certifying that the information contained in Environmental Revised Final Mitigated Negative Declaration EMND-90-0471 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-91-2287) GRANT THE MAP, ADOPTED AS  
RESOLUTION R-278097

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

Subitem-C: (R-91-2288) GRANT THE PERMIT, ADOPTED AS  
RESOLUTION R-278098

Adoption of a Resolution granting or denying the permit, with appropriate findings to support Council action.

Subitem-D: (R-91-1523) ADOPTED AS RESOLUTION R-278099

Adoption of a Resolution authorizing the vacation of a portion of Camarena Road, McKittrick Way, Montella Way, Goldonna Lane and Ridgetop Court as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-E: (R-91-2286) ADOPTED AS RESOLUTION R-278100

Authorizing the City Manager to enter into an agreement with the Baldwin Company for the purchase of a park site in Carmel Valley Neighborhood I.

CITY MANAGER SUPPORTING INFORMATION: The vacation of Camarena Road, Goldonna Lane, McKittrick Way, Montella Way, and Ridgetop Court has been initiated by the submission of the tentative map for Carmel Valley Neighborhood I, Units 3 & 4 (TM-90-0471). The subject unimproved paper streets and the adjoining properties to be subdivided are located in the Carmel Valley Community and are situated in the SF-3 Zone. The map itself proposes subdivision of 25.8 acres into 68 single-family residential lots, one lot for park development, and one lot for a school site. Development of the proposed subdivision will be controlled by the related Planned Development Permit, PD-90-0471. The Planning Commission recommended approval of the proposed project on February 7, 1991, by a 4-0 vote. This street vacation proposal results from a request made by the Del Mar Union School District and the Solana Beach School District to the subdivider to relocate the previous school site away from the existing 236 KV electric lines, adjacent to the eastern subdivision boundary. The subdivider complied with the request, which exchanges locations of the residential and park and school sites. The existing unimproved rights-of-way are, therefore, no longer required, since they are located within the future school and park sites. New road alignments for access and circulation will be provided with approval of the final map.

FINDINGS: Staff review has indicated that the vacation is consistent with the General Plan, the community plan, and Council Policy 600-15. The approval of the final map will establish that there will be no present or prospective use and that the vacation will not detrimentally affect the facilities for which the rights-of-way were originally provided. The public will benefit from the resubdivision that provides preferable school and park sites, which requires the vacation. Staff further recommends that the vacation be conditioned upon the approval and recordation of the final map for Carmel Valley Neighborhood I, Units 3 & 4, Resubdivision (TM-90-0471).

FILE LOCATION: Subitem A: PERM-NCWPDP 90-0471; Subitem B: SUBD-Carmel Valley Neighborhood I, Units 3 & 4 Resubd.; Subitem C: PERM-NCWPDP 90-0471;

Subitem D: DEED F-5567 STRT-J-2759; Subitem  
E: SUBD-Carmel Valley Neighborhood 1, Units 3  
& 4 Resubd. DEEDFY91-1; CONFY91-1

COUNCIL ACTION: (Tape location: C580-673.)

Hearing began at 4:05 p.m. and halted at 4:12 p.m.

Testimony in opposition by Neal Hribar.

MOTION BY WOLFSHEIMER TO APPROVE SUBITEMS A,B,C,D & E AND TO  
REFER MR. HRIBAR'S CONCERNS TO THE SIGN ENFORCEMENT DIVISION  
TO COME UP WITH SOME QUALITY DECISION AS TO WHAT SHOULD BE  
DONE. Second by McCarty. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Behr-yea, Henderson-not present, McCarty-yea, Filner-not  
present, Mayor O'Connor-yea.

ITEM-S407: (R-91-2053) ADOPTED AS RESOLUTION R-278101

Authorizing the City Manager to enter into negotiations  
with The City of Poway to assume, on behalf of the  
Clean Water Program, responsibility for the design,  
permitting, construction and operation of the Poway  
Reclamation Plant.

(See City Manager Report CMR-91-242. Sabre Springs  
Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PSS on 6/5/91. Recommendation  
to approve the City Manager's recommendations (CMR-91-242).  
Districts 3, 4, 5 and 7 voted yea. District 2 not present.

FILE LOCATION: WATER Poway Reclamation Plant

COUNCIL ACTION: (Tape location: C320-547.)

MOTION BY BEHR TO ADOPT WITH THE PROVISION THAT THE CITY  
MANAGER BE REQUESTED TO PROVIDE A RESPONSE TO THE POINTS  
PRESENTED IN MR. LEO VERGUSON'S LETTER IN OPPOSITION TO THIS  
PROJECT. Second by McCarty. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Behr-yea, Henderson-not present, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

\* ITEM-S408: (R-91-2128) ADOPTED AS RESOLUTION R-278102

Adopting an amended Conflict of Interest Code for the  
Centre City Development Corporation, Inc. (CCDC);  
declaring that the amended Conflict of Interest Code  
shall become effective immediately.

(See memorandum from CCDC Executive Vice President  
dated 5/30/91. Centre City Community Area.  
District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A115-129.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409:

Alternate actions relative to regulating Alcohol at  
City Parks and Beaches:

Subitem-A: (O-91-182 Rev.1) INTRODUCED AND ADOPTED AS  
AMENDED AS ORDINANCE  
O-17655 (New Series)

Introduction and adoption of an Emergency Ordinance  
prohibiting and regulating the possession or  
consumption of alcohol in certain beach and park areas  
and public rights-of-way within the City of San Diego.

NOTE: Six votes required for Subitem A.

Subitem-B: (O-91- ) NOTED AND FILED

Introduction of an Ordinance prohibiting and regulating  
the possession or consumption of alcohol in certain  
beach and park areas and public-rights-of way within  
the City of San Diego.

FILE LOCATION: Subitem A,B: MEET

COUNCIL ACTION: (Tape Location: D202-G274.)



MOTION BY ROBERTS TO INTRODUCE AND ADOPT SUBITEM-A AS AMENDED AS FOLLOWS: THAT THE CITY APPROVE THE EMERGENCY ORDINANCE WITH THE AMENDMENT THAT THE PRIMARY PARAGRAPH (PARAGRAPH D) BE CLARIFIED TO SAY THAT THE RESTRICTION IS FOR 24 HOURS A DAY, EXCEPT AS OTHERWISE NOTED BELOW; AND TO NOTE AND FILE SUBITEM-B, AND TO REFER MAYOR O'CONNOR'S SUGGESTIONS WITH RESPECT TO A SUMMER HOLDING TANK AND SOBRIETY CHECK POINTS TO THE CITY MANAGER. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1:

By Alan Herridge regarding City's Bonds.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G275.)

PUBLIC COMMENT:

ITEM-PC-2:

By Don Stillwell regarding Aliens on Welfare System.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G275.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:38  
p.m.

FILE LOCATION: MINUTES.

COUNCIL ACTION: (Tape location: G275.